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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10
11 PARSE BIOSCIENCES INC.,

12 Plaintiff,

13 v.

14 JAY SHENDURE et al.,

15 Defendants.

CASE NO. 2:24-mc-00065-LK

ORDER TRANSFERRING
MOTION AND DISCHARGING
ORDER TO SHOW CAUSE

16 This matter comes before the Court on Plaintiff Parse Biosciences Inc.’s response to the
17 Court’s order to show cause why its motion to compel compliance with attorney-issued subpoenas
18 should not be transferred to the United States District Court for the District of Delaware. Dkt. Nos.
19 8, 9. For the following reasons, the Court directs the Clerk to transfer Parse Biosciences’ motion
20 to compel to the District of Delaware pursuant to Federal Rule of Civil Procedure 45(f).

21 **I. DISCUSSION**

22 In “exceptional circumstances,” a discovery motion for an order to a nonparty that is filed
23 in a non-issuing court can be transferred to the issuing court, Fed. R. Civ. P. 45(f), including where
24 transfer is “warranted in order to avoid disrupting the issuing court’s management of the

1 underlying litigation[.]” 2013 Advisory Comm. Cmt. to Fed. R. Civ. P. 45 Amendment; *see also*
2 *P.H. Glatfelter Co. v. Windward Prospects Ltd.*, 847 F.3d 452, 458 (7th Cir. 2017) (“By allowing
3 for transfers, Rule 45(f) allows for consolidation of motions in a single appropriate court, thereby
4 avoiding piecemeal litigation in multiple fora[.]”). Here, in light of the issuing court’s scheduling
5 order and the potential disruption that could result from this Court’s ruling on Parse Biosciences’
6 motion to compel, the Court ordered Parse Biosciences to show cause why its motion should not
7 be transferred to the issuing court. Dkt. No. 8 at 3–4.

8 In its response to the Court’s order, Parse Biosciences states that it does not object to the
9 transfer and “shares the Court’s concerns that the resolution of the instant dispute in this venue
10 may disrupt the case schedule in the underlying lawsuit[.]” Dkt. No. 9 at 1. The Court therefore
11 finds that exceptional circumstances warrant transfer of Parse Biosciences’ motion to compel to
12 the District of Delaware for consideration.

13 II. CONCLUSION

14 For the foregoing reasons, the Court DISCHARGES its Order to Show Cause, Dkt. No. 8,
15 and DIRECTS the Clerk to TRANSFER Parse Biosciences’ motion to compel, Dkt. No. 1, and the
16 related declarations, Dkt. Nos. 2, 4, 6, reply brief, Dkt. No. 5, and certificate of service, Dkt. No.
17 7, to the United States District Court for the District of Delaware for resolution in the pending
18 matter of *Scale Biosciences, Inc. v. Parse Biosciences, Inc.*, No. 1:22-cv-01597-CJB. The Clerk is
19 also DIRECTED to close this case.

20 Dated this 13th day of November, 2024.

21 

22 Lauren King
23 United States District Judge
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